

REMARKS

The Office Action mailed July 19, 2005, has been received and reviewed. Claims 1, 2, 4 through 6, 8 through 15, 17 and 18 are currently pending in the application. Claims 1, 2, 4 through 6, 8 through 15, 17 and 18 stand rejected. Applicants have amended claims 1, 4, 15, 17, and 18, and have added Claim 19. Applicants respectfully request reconsideration of the application as amended herein.

35 U.S.C. § 112 Claim Rejections

Claims 1, 2, 4 through 6, 8 through 15, 17 and 18 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicants respectfully traverse this rejection, as hereinafter set forth.

Claims 1, 4, 15, 17, and 18 are amended herein and the amendments are supported by the Specification. In light of the amendments to those claims, Claims 1, 2, 4 through 6, 8 through 15, 17, and 18 satisfy the requirements of 35 U.S.C. § 112, first paragraph. It is respectfully requested that the 35 U.S.C. § 112, first paragraph, rejection be withdrawn.

35 U.S.C. § 103(a) Obviousness Rejections

Claims 1, 2, 4 through 6, 8 through 15, 17, and 18 stand rejected under 35 U.S.C. § 103(a) as being obvious in light of various references. Applicants respectfully traverse these rejections.

M.P.E.P. 706.02(j) sets forth the standard for a Section 103(a) rejection:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable

expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Obviousness Rejection Based on U.S. Patent No. 5,709,910 to Argyle et al.

Claims 1, 2, 4 through 6, 8 through 13, 17 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Argyle et al. (U.S. Patent No. 5,709,910). Applicants respectfully traverse this rejection, as hereinafter set forth.

Claim 1 is an independent claim and is amended herein to include recitations of "an entry seal in communication with the processing chamber, the entry seal comprising at least one baffle having an adjustable non-equidimensional aperture to accept a substrate of substantially matching, but slightly smaller, cross-section." Argyle et al. fails to teach or suggest, either directly or indirectly, "an adjustable non-equidimensional aperture" as recited by amended Claim 1. Argyle et al.'s failure is admitted in the Action. Namely, Argyle et al. "fails to teach at least one baffle of each of the entry seal and exit seal is adjustable to at least one of a different size and a different shape for accepting different elongate substrates." *See, Action* at p. 9. The lack of such teaching precludes a *prima facie* obviousness rejection of Claim 1. *See, In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Applicants request that the 35 U.S.C. § 103(a) rejection of Claim 1 be withdrawn.

Claims 2, 4 through 6, 8 through 13, 17 and 18 each depend from amended Claim 1. Dependent claims of a non-obvious independent claim are also non-obvious. *See, M.P.E.P.* § (citing, *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)). The 35 U.S.C. § 103(a) rejection of dependent Claims 2, 4 through 6, 8 through 13, 17 and 18 based solely on Argyle et al. should be withdrawn because Claim 1 is not obvious in view of Argyle et al.

Obviousness Rejection Based on U.S. Patent No. 5,709,910 to Argyle et al. in view of U.S. Patent No. 3,650,042 to Boerger et al.

Claims 1, 2, 4 through 6, 8 through 13, 17 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Argyle et al. (U.S. Patent No. 5,709,910) in view of Boerger et al. (U.S. Patent No. 3,650,042). Applicants respectfully traverse this rejection, as hereinafter set

forth.

Argyle et al. admittedly fails to teach or suggest an adjustable baffle as recited in amended independent Claim 1. Similarly, Boerger et al. fails to teach or suggest the use of an entry seal comprising an adjustable baffle. The failure of both Argyle et al. and Boerger et al. to teach an adjustable baffle as recited in amended Claim 1 precludes the combination from teaching such recitations. Therefore, a *prima facie* obviousness rejection of Claim 1 is not supported by the combination of Argyle et al. and Boerger et al. *See, In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Applicants respectfully request that the 35 U.S.C § 103(a) rejection of Claim 1 based on such combination be withdrawn.

Similar to the rejection based on Argyle et al. alone, the rejection based on the combination of Argyle et al. with Boerger et al. fails to make obvious dependent Claims 2, 4 through 6, 8 through 13, 17 and 18 because dependent claims of a non-obvious independent claim are also non-obvious. *See, In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Dependent Claims 2, 4 through 6, 8 through 13, 17 and 18 are not obvious in light of the combination of Argyle et al. and Boerger et al. and Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection based on the combination.

Obviousness Rejection Based on U.S. Patent No. 5,709,910 to Argyle et al. in view of U.S. Patent No. 2,545,576 to Godley

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Argyle et al. (U.S. Patent No. 5,709,910) in view of Godley (U.S. Patent No. 2,545,576). Applicants respectfully traverse this rejection, as hereinafter set forth.

Claim 14 depends from Claim 1. The basis for the rejection of Claim 14 is the premise that Argyle et al. teaches or suggests all of the recitations of amended Claim 1 and that Godley supplies the teaching of a system “further comprised of a substrate feed controller,” which Argyle et al. admittedly fails to teach. *See, Action* at p. 8. However, as previously demonstrated, Argyle et al. admittedly fails to teach or suggest all of the recitations of independent Claim 1 from which Claim 14 depends. Godley does not teach or suggest “an adjustable non-equidimensional aperture” as recited in Claim 1. Therefore, the combination of Argyle et al. and Godley fails to

teach or suggest all of the recitations of the independent claim from which Claim 14 depends. Claim 14 is therefore not obvious based upon the combination of Argyle et al. and Godley.

Furthermore, dependent claims of non-obvious independent claims are themselves non-obvious. *See, In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, Claim 14 is non-obvious because it depends from a non-obvious independent claim. Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection of Claim 14 based upon the combination of Argyle et al. and Godley.

Obviousness Rejection Based on U.S. Patent No. 5,709,910 to Argyle et al. in view of U.S. Patent No. 3,650,042 to Boerger et al. and U.S. Patent No. 2,545,576 to Godley

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Argyle et al. (U.S. Patent No. 5,709,910) in view of Boerger et al. (U.S. Patent No. 3,650,042) and Godley (U.S. Patent No. 2,545,576). Applicants respectfully traverse this rejection, as hereinafter set forth.

The combination of Argyle et al. with Godley fails to make obvious dependent Claim 14 as previously demonstrated. The further combination with Boerger et al. does not make obvious Claim 14. Boerger et al. fails to teach or suggest “an adjustable non-equidimensional aperture” as recited in independent Claim 1 from which Claim 14 depends. The lack of such teaching by any of the cited references precludes a *prima facie* obviousness rejection of Claim 14.

Additionally, Claim 14 is allowable as a dependent claim which depends from a non-obvious independent claim. *See, In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) obviousness rejection of Claim 14 over the combination of Argyle et al., Godley, and Boerger et al.

Obviousness Rejection Based on U.S. Patent No. 5,709,910 to Argyle et al. in view of U.S. Patent No. 3,618,919 to Beck

Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Argyle et al. (U.S. Patent No. 5,709,910) in view of Beck (U.S. Patent No. 3,618,919). Applicants respectfully traverse this rejection, as hereinafter set forth.

Claim 15 depends from a non-obvious independent claim, namely Claim 1. As such, Claim 15 is allowable. *See, In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). However, since amended Claim 1 includes recitations of “at least one baffle having an adjustable non-equidimensional aperture to accept a substrate of substantially matching, but slightly smaller, cross-section,” it will be considered in light of the combination of Argyle et al. and Beck.

Argyle et al. admittedly fails to teach or suggest “at least one baffle of each of the entry seal and exit seal is adjustable to at least one of a different size and a different shape” as recited in Claim 15. *See, Action* at p. 9. This admission also carries over to the recitation of “at least one baffle having an adjustable non-equidimensional aperture” as recited in Claim 1.

The rejection relies on the combination of Beck with the teaching of Argyle et al. to support the 35 U.S.C. § 103(a) obviousness rejection. Beck provides an “adjustable gas gate...operative within the gas barrier to provide isolation between the atmospheres of adjacent muffle zones.” *See, Beck* at col. 3, lines 36-38. The gate, or “member 56 is of generally wedge-shaped configuration.” *Id.* at lines 7-12. The gate, or member, described by Beck is not “at least one baffle having an adjustable non-equidimensional aperture” that is capable of accepting the substrates recited in Claim 1. Furthermore, Beck does not teach or suggest “the at least one baffle of each of the entry seal and the exit seal is adjustable to at least one of a different size and a different shape for accepting different substrates therethrough” as recited in Claim 15. The failure of Beck to teach or suggest such a baffle precludes the rejection of Claim 15.

The rejection of Claim 15 should be withdrawn because Beck does not teach a gate or member that is identical to the baffle recited in Claim 1 or those recited in Claim 15. The lack of an identical teaching or suggestion precludes a *prima facie* obviousness rejection. *See, In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Applicants respectfully request that the rejection of Claim 15 be withdrawn.

Obviousness Rejection Based on U.S. Patent No. 5,709,910 to Argyle et al. in view of U.S. Patent No. 3,650,042 to Boerger et al. and U.S. Patent No. 3,618,919 to Beck

Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Argyle et

al. (U.S. Patent No. 5,709,910) in view of Boerger et al. (U.S. Patent No. 3,650,042) and Beck (U.S. Patent No. 3,618,919). Applicants respectfully traverse this rejection, as hereinafter set forth.

The rejection of Claim 15 based upon the combination of Argyle et al., Beck, and Boerger et al. is no different than the combination of Argyle et al. and Beck. Boerger et al. does not teach or suggest the recitations of Claim 15 or all of the recitations of Claim 1. Because Boerger et al. does not teach or suggest adjustable baffles as recited in Claim 15, a *prima facie* obviousness rejection is not supported by the addition of Boerger et al. to the combination of Argyle et al. and Beck. Claim 15 is not obvious and the withdrawal of the 35 U.S.C. § 103(a) rejection of Claim 15 based upon the combination of Argyle et al., Beck, and Boerger et al. is respectfully requested.

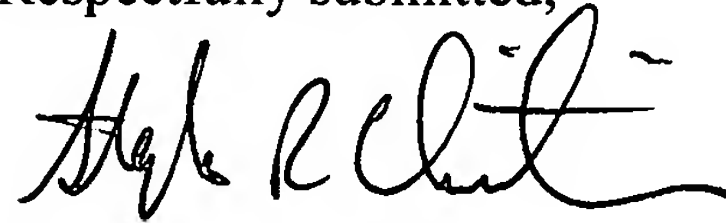
ENTRY OF AMENDMENTS

The amendments to claims 1, 4, 15, 17, and 18 above, and the addition of Claim 19, should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application.

CONCLUSION

Claims 1, 2, 4 through 6, 8 through 15, and 17 through 19 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, the Examiner is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,



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Date: 10 OCT 2005